

the fulfillment of current legal requirements, or the conduct of critical administrative functions.

SEC. 3175. DEPLOYMENT OF TECHNOLOGY FOR REMEDIATION OF

DEFENSE NUCLEAR WASTE.

(1) **IN GENERAL.**—The Site Manager of each defense nuclear facility shall promote the deployment of innovative environmental technologies for remediation of defense nuclear waste at the facility.

(2) **CRITERIA.**—To carry out subsection (a), the Site Manager of a defense nuclear facility shall establish a program at the facility for the testing and deployment of innovative environmental technologies for the remediation of defense nuclear waste at the facility. In establishing such a program, the Site Manager may—

(3) establish a simplified, standardized, and timely process for the testing, verification, certification, and deployment of environmental technologies;

(4) solicit applications to test and deploy environmental technologies suitable for environmental restoration and waste management activities at the facility, including prevention, control, characterization, treatment, and remediation of contamination;

(5) consult and cooperate with the heads of existing programs at the facility for the verification and certification of environmental technologies at the facility;

(6) pay the costs of the demonstration of such technologies;

(7) enter into contracts and other agreements with other public and private entities to deploy environmental technologies at the facility; and

(8) include incentives, such as product performance specifications, in contracts to encourage the implementation of innovative environmental technologies.

(c) **FOLLOW-ON CONTRACTS.**—(1) If the Secretary and a person demonstrating a technology under the program enter into a contract for remediation of nuclear waste at a defense nuclear facility covered by this subtitle, or at any other Department facility, as a follow-on to the demonstration of the technology, the Secretary shall ensure that the contract provides for the Secretary to recoup from the contractor the costs incurred by the

Secretary pursuant to subsection (b) (6) for the demonstration.

(2) No contract between the Department and a contractor for the demonstration of technology under subsection (b) may provide for reimbursement of the costs of the contractor on a cost-plus fee basis.

(d) **SAFE HARBOR.**—In the case of an environmental technology tested, verified, certified, and deployed at a

defense nuclear facility
under a program established under subsection
(b) the Site Manager
of another defense nuclear facility may
request the Secretary to
waive or limit contractual or Department
regulatory requirements
that would otherwise apply in implementing
the same environ-
mental technology at such other facility.

42 USC
7274k
note.

SEC. 3176. PERFORMANCE-BASED CONTRACTING.

(a) PROGRAM. — The Secretary shall develop
and implement a
program for performance-based contracting
for contracts entered
into for environmental remediation at defense
nuclear facilities.
The program shall ensure that, to the
maximum extent practicable
and appropriate, such contracts include the
following:

42 USC
7274k
note.